

PTO/SB/81 (08-03)

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INDICATION FORM**

Application Number	09/834,334
Filing Date	12 April 2001
First Named Inventor	Bruce V. Hartley
Art Unit	2857
Examiner Name	Craig S. Miller
Attorney Docket Number	405836 [as amended]

I hereby appoint:

☒ Practitioners at Customer Number

30955

OR

☐ Practitioner(s) named below:

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I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/95).

SIGNATURE of Applicant or Assignee of Record

Name Frank J. Ricotta, Jr., President, Innerwall, Inc.

Signature

Date

Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/98 (09-03)

Approved for use through 07/31/2006 OMB 0851-0031

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Bruce V. Hartley et al.Application No./Patent No.: 09/834,334Filed/Issue Date: 12 April 2001Entitled: METHOD AND APPARATUS FOR ASSESSING THE SECURITY OF A COMPUTER SYSTEM

Innerwall, Inc.

a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest

The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
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3. From: _____ To: _____
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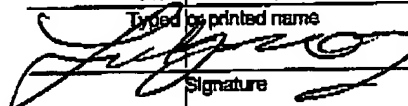
☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 902.0)

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

9-24-03
Date
719-330-3163
Telephone Number

Frank J. Ricotta, Jr.
Typed or printed name

Signature
President, Innerwall, Inc.
Title

This collection of information is required by 37 CFR 3.73(b). This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, DMW WORLDWIDE, INC., (D.B.A. NOOCHEE SOLUTIONS INC., D.B.A. TIMAROU HOLDINGS INC.), a Delaware corporation having offices at 3180 Porter Drive, Ste A, Palo Alto, CA 94304 ("Assignor") owns all right, title, and interest in and to the U.S. utility patent application No. 09/834,334, titled "Method and apparatus for assessing the security of a computer system," filed with a priority date of June 15, 1998 (the "Patent Application"); and

WHEREAS, INNERWALL, INC., a Delaware corporation having offices at 4945 North 30th Street, Colorado Springs, Colorado 80919 ("Assignee"), desires to acquire Assignor's entire right, title, and interest in and to the Patent Application, and in and to the inventions disclosed in the Patent Application, and to the Future Patents (as hereinafter defined);

NOW THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby sell, assign and transfer unto Assignee, its successors, assigns and legal representatives, all right, title, and interest in and to the Patent Application, and to all future patents which may be granted therefor throughout the world, and all divisions, reissues, reexaminations, substitutions, continuations, continuations-in-part and extensions thereof (collectively, "Future Patents"), together with all claims, causes of action and damages for past infringement, if any, of said Patent Application and Future Patents; and Assignor hereby authorizes and requests the United States Patent and Trademark Office and other patent offices throughout the world to issue all Future Patents resulting therefrom insofar as Assignor's interest is concerned, to Assignee.

Assignor also hereby sells, assigns, and transfers to Assignee and its successors, assigns, and legal representatives all right, title, and interest to the inventions disclosed in the Patent Application and Future Patents throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for such inventions in Assignee's own name throughout the world including all rights of priority, all rights to publish cautionary notices reserving ownership of such inventions, and all rights to register such inventions in appropriate registries; and Assignor further agrees to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith reasonably necessary to perfect such right, title, and interest in Assignee and its successors, assigns and legal representatives.

Assignor hereby further agrees that it will communicate to Assignee, or to its successors, assigns and legal representatives, any facts known to Assignor respecting any improvements, and, at the expense of Assignee, will testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue, reexamination, and substitute applications, make all lawful oaths, and generally do everything possible to vest title in Assignee and to aid Assignee and its successors, assigns and legal representatives in obtaining and enforcing proper protection for the Patent Application and Future Patents in such countries as Assignee may elect.

ASSIGNMENT OF U.S. PATENT APPLICATION 09/834,334 to INNERWALL, INC.

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IN WITNESS WHEREOF, Assignor has caused this instrument to be executed by its duly authorized corporate officer, effective this 1st day of September, 2002.

DMW WORLDWIDE, INC.

By: DR Hall

Name: Dixon R. Doll

Title: Chairman

ASSIGNMENT OF U.S. PATENT APPLICATION 09/834,334 to INNERWALL, INC.

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